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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (supplemental sheet)

International Application No.
PCT/EP2005/053866

JAP20 Rec'd PCT/EP 08 FEB 2006

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Documents cited

Reference is made to the following document:

D1: US 5 007 450 A (BABB ET AL) 16 April 1991 (1991-04-16)

2. Novelty (PCT Article 33(2)) and inventive step (PCT Article 33(3))

Irrespective of the lack of clarity mentioned under Item VIII, the subject matter of claims 1-8 would otherwise appear to be novel within the meaning of PCT Article 33(2) and involve an inventive step within the meaning of PCT Article 33(3), thus meeting the PCT requirements. The reasons are as follows:

2.1 INDEPENDENT CLAIM 1

D1 is considered to be the closest prior art. It discloses (the references in parentheses relate to this document) a filling level sensor for detecting a liquid filling level in a container with (see Abstract):

- a lever arm which secures a float and follows the liquid filling level (column 5, lines 28-32), with
- a support provided for installation in the container (column 4, lines 47-63), and with
- a mounting of the lever arm on the support (column 5, lines 32-50);

from which the subject matter of independent claim 1 differs in that:

- the lever arm has a guide part which protrudes laterally over the support and has a guide curve contour on a side facing away from the support.

The subject matter of claim 1 is therefore **novel** (PCT Article 33(2)).

The problem addressed by the present invention can therefore be considered that of developing a filling level sensor in such a manner that it permits a particularly simple installation in the container. In particular, by the sensor being designed as defined in the distinguishing feature, the lever arm can be deflected by the guide part if the guide curve is pressed against the edge of the installation opening. The filling level sensor according to the invention therefore makes it possible to bring the lever arm into the container in the correct position without a deflection of the lever arm by hand being required.

The solution proposed in claim 1 of the present application involves **an inventive step** (PCT Article 33(3)), since the document currently available in the prior art neither identifies the problem mentioned nor suggests the use, in order to optimize the installation, of a guide part as defined in claim 1.

2.2 DEPENDENT CLAIMS 2-8

Claims 2-8 are dependent on claim 1 and therefore likewise meet the PCT requirements for novelty and inventive step.

Re Item VIII

Certain observations on the international application

3. Clarity (PCT Article 6)

The application does not meet the requirements of PCT Article 6 because claim 1 is not clear for the following reasons:

3.1 INDEPENDENT CLAIM 1

It would appear from the description on pages 4 and 5 and in figure 3 that the following features are essential to the definition of the invention:

- the guide part is arranged on the plastic clip to which a lever arm, which is connected to the float, is fastened via a latching connection, and the guide part is therefore in mechanical contact with the lever arm via the latching connection;
- when the support is introduced into the installation opening, the guide part arrives against the boundary of the installation opening and therefore pivots the lever arm.

Since independent claim 1 does not contain these features, it does not meet the requirement of PCT Article 6 in conjunction with PCT rule 6.3 b) that each independent claim must include all the technical features essential to the definition of the invention.